IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CASE NO. 3:22-CV-191-MOC-DCK

KANAUTICA ZAYRE-BROWN,)
Plaintiff,	ORDER
v.)
NORTH CAROLINA DEPARTMENT OF ADULT CORRECTIONS, et al.,)))
Defendants.)))

THIS MATTER IS BEFORE THE COURT on the "Consent Motion To Extend Time To File Motion For Costs And Attorneys' Fees" (Document No. 150) filed December 5, 2024. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, and following consultation with Judge Cogburn's chambers, the undersigned will grant the motion.

By the instant motion, Plaintiff seeks "to preserve her right to seek costs, attorneys' fees, and related expenses under 42 U.S.C. §§ 1988 and 12205." (Document No. 150). As noted in the motion, "[o]n April 16, 2024, this Court granted in part Plaintiff's renewed summary judgment motion as it relates to her Eighth Amendment claim." <u>Id.</u>; (Document No. 116, p. 7). Plaintiff "intends to move this Court for costs and attorney's fees related to her Eighth Amendment claim," but "Plaintiff's ADA and *Corum* claims are still pending." (Document No. 150).

Plaintiff therefore requests an extension of the time to file any motion for costs and fees "until thirty days after a final judgment has been entered on all claims and all appeals have been exhausted or the time for doing so has elapsed," in order "to avoid piecemeal motions." Id.

IT IS, THEREFORE, ORDERED that the "Consent Motion To Extend Time To File Motion For Costs And Attorneys' Fees" (Document No. 150) is **GRANTED**.

SO ORDERED.

Signed: December 5, 2024

David C. Keesler

United States Magistrate Judge